

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

Michael Erwin,

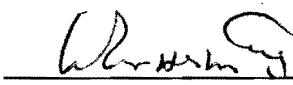
Plaintiff : Case No. 3:10-cv-50
- vs - : District Judge Walter Herbert Rice
Southern Regency Tennis Center LLC, : Magistrate Judge Michael R. Merz
Defendant. :

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz on Defendant's Motion for Judgment on the Pleadings (Doc. #11), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that Defendant's Motion for Judgment on the Pleadings (Doc. #6) be DENIED.

June 2, 2010.



Walter Herbert Rice
United States District Judge